

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

KENNETH RAY SOWELL, PRO SE, §
also known as §
KENNETH SOWELL, §
TDCJ-CID # 1322390, §
Previous TDCJ-CID No. 678664, §
Previous TDCJ-CID No. 976331, §
§
Plaintiff, §
§
v. § 2:08-CV-0051
§
CHRISTOPHER J. KYLE, §
GAYLORD R. THOMPSON, §
STEPHEN A. ORTEGA, RAMON G. LONG, §
BENNY R. BARRICK, DAVID W. MOORE, §
Mr. NFN BROWN, §
ROBERT G. LINTON, and §
FERMIN G. ROSAS, §
§
Defendants. §

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT
AND ORDER OF DISMISSAL**

Plaintiff KENNETH RAY SOWELL, acting pro se and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and was granted permission to proceed *in forma pauperis*.

On January 13, 2011, a Report and Recommendation was issued by the United States Magistrate Judge recommending defendants' June 16, 2010 motion for summary judgment be granted and plaintiff's Civil Rights Complaint be dismissed with prejudice.

Plaintiff filed his Objections on January 25, 2011.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as plaintiff's objections.

The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that defendants' Motion for Summary Judgment is GRANTED and the Civil Rights Complaint by plaintiff KENNETH RAY SOWELL is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record.

IT IS SO ORDERED.

ENTERED this 27th day of February, 2011.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE